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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,152	09/13/2000	RIE SUZUKI	35.G2067D	2716
5514	7590	12/29/2005	EXAMINER BOAKYE, ALEXANDER O	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			ART UNIT 2667	PAPER NUMBER

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**SUPPLEMENTAL  
Notice of Allowability**

**Application No.**

09/661,152

**Examiner**

ALEXANDER BOAKYE

**Applicant(s)**

SUZUKI, RIE

**Art Unit**

2667

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/20/2005.
2. ☒ The allowed claim(s) is/are 11,12,14,16,17,18,19, 20, 26,27,28,35,36,38,39,40,41,42,43;renumbered as 1-19 respectively.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## **REASONS FOR ALLOWANCE**

1. The following is an examiner's statement of reasons for allowance: Claims 11, 12, 14, 16, 17, 18, 19, 20, 26, 27, 28, 35, 36, 38, 39, 40, 41, 42 and 43 are considered allowable since when reading the claims in light of the specification, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims. As to claims 11, 12, 14, 16, 17, 18, 19 and 20, the prior art of record does not teach wherein the adjustment-signal communication means communicates a first adjustment signal, prior to the plurality of data-communication periods, that is longer than the adjustment signal between the one-data communication period and the other data-communication period. As to claims 26-28, the prior art of record does not teach wherein the information transmission means transmits first information prior to the sets of data, wherein a transmission period of the first information is longer than that of the information between each two successive sets of data. As to claims 35, 36, and 38, the prior art of record does not teach wherein the transmission means transmits a first adjustment signal prior to the plurality of data-communication periods, wherein the first signal is longer than the signal transmitted between the one data-communication period and the another data-communication periods.

As to claims 39-42, the prior art of record does not teach information transmission means for transmitting, between each two successive sets of data,

information to be used by the receiving end for receiving the later one of the two successive sets of data, such that the spread spectrum signal is continuously transmitted, wherein the information transmission means transmits first information prior to the sets of data, wherein a transmission period of the first information is longer than that of the information between each two successive sets of data. As to claim 43, the prior art of record does not teach wherein the first adjustment signal is longer than the adjustment signal between the one data-communication period and the other data-communication periods. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Boakye whose telephone number is (571) 272-3183. The examiner can normally be reached on M-F from 8:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (571) 272-3179. The Central Fax Number is (571) 273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Electronic Business Center numbers 866-217-9197 and 703-305-3028.

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Art Unit: 2667

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Alexander Boakye

Patent Examiner

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12/23/05



CHI PHAM  
PERMISSORY PATENT EXAMINER  
TECHNOLOGY CENTER 200

12/27/05